

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**DECLARATION OF STEPHANIE ACKERMAN IN SUPPORT OF TRUSTEE'S
MOTION AND MEMORANDUM OF LAW TO AFFIRM HIS DETERMINATIONS
DENYING CLAIMS OF CLAIMANTS HOLDING INTERESTS IN SIENNA
PARTNERSHIP, L.P., KATZ GROUP LIMITED PARTNERSHIP,
AND FAIRFIELD PAGMA ASSOCIATES, L.P.**

I, Stephanie Ackerman, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an associate with Baker & Hostetler LLP, counsel to Irving H. Picard, trustee ("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), and for Bernard L. Madoff ("Madoff").

2. I am fully familiar with this case and the facts set forth herein.

3. For purposes of the Trustee's Motion and Memorandum to Affirm His Determinations Denying Claims of Claimants Holding Interests in Sienna Partnership, L.P., Katz

Group Limited Partnership, and Fairfield Pagma Associates, L.P. (the “Motion”), the Trustee selected four BLMIS accounts (collectively, the “Accounts”): 1FR041 held by Sienna Partnership, L.P., 1K0143 held by Katz Group Limited Partnership, and 1ZA994 held by Fairfield Pagma Associates, L.P. (collectively, the “Limited Partnerships”).¹

4. A list of Objecting Claimants associated with one or more of the Limited Partnerships whose claims are dealt with by the Motion is annexed as Exhibit 2 to the Declaration of Vineet Sehgal filed in support of the Motion (the “Sehgal Declaration”). The Motion addresses all outstanding docketed objections that have been filed to date by Objecting Claimants associated with one or more of the Limited Partnerships, details of which objections are contained in Sehgal Declaration Exhibits 2 and 3.

5. I supervised service of discovery, including Requests for Admission, by the Trustee on the Objecting Claimants listed in Exhibit 2 to the Sehgal Declaration. I also personally reviewed and caused to be entered into our system each response to Requests for Admission or to Interrogatories that were received by our office. None of the Objecting Claimants responded.

6. During the course of my work on this matter, and to properly prepare and serve discovery, I personally reviewed hundreds of documents, including the claims filed by the Objecting Claimants, the respective notices of determination of claims issued by the Trustee, and the respective objections to the Trustee’s notices of determination of claims filed by the Objecting Claimants, in addition to reviewing the Limited Partnership account files as contained in the books and records of BLMIS.

¹ Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Motion. Certain exhibits attached to this Declaration have been partially redacted to remove sensitive personal information.

7. The Objections to Determination filed on behalf of Objecting Claimants associated with Sienna Partnership, L.P. were filed by their counsel, Alan E. Gamza and Howard R. Herman of Moses & Singer LLP on November 19, 2010.

8. The Objecting Claimants associated with Katz Group Limited Partnership, and Fairfield Pagma Associates, L.P. filed *pro se* Objections to Determination.

Service of Requests for Admission and Other Discovery

9. I caused discovery to be served on Objecting Claimants through counsel or in a *pro se* capacity using contact details from the claims, objections to the Trustee's notices of determination of claims, or the debtor's books and records, all as provided by the Trustee's claims agent, AlixPartners LLP. Each of the Trustee's discovery requests contained a certificate of service setting out how and when service was made.

Objecting Claimants Who Failed To Respond To Requests For Admission

10. Attached hereto as Exhibit 1 is a true and correct copy of Requests for Admission, Interrogatories, and Requests for Production (including certificate of service and cover letter), that were served on Objecting Claimants through counsel, for which the Trustee received no responses. These discovery requests related to Sienna Partnership, L.P. Objecting Claimants (claim numbers 010920, 010921, 010990, 011084, 011585, 012813, 012814, 012815, and 012816).

11. The remaining Objecting Claimants were each served discovery in a *pro se* capacity.

12. The Sienna Partnership, L.P. Objecting Claimants and the Katz Group Limited Partnership Objecting Claimant received thirteen (13) substantively identical Requests for Admission in their discovery packages.

13. The Fairfield Pagma Associates, L.P. Objecting Claimant received a thirteenth Request for Admission related to a term of the Fairfield Pagma Associates, L.P. partnership agreement.

14. The Sienna Partnership, L.P. Objecting Claimants also received a fourteenth Request for Admission related to a term of the Sienna Partnership, L.P. partnership agreement.

15. A true and accurate copy of the complete package served on Martin J. Katz on behalf of the Katz Group Limited Partnership Objecting Claimants is attached hereto as Exhibit 2.

16. The Katz Group Limited Partnership Objecting Claimants did not respond to the Trustee's discovery requests.

17. A true and accurate copy of the complete package served on the Fairfield Pagma Associates, L.P. Objecting Claimant George J. Azar, Jr. is attached hereto as Exhibit 3.

18. The Fairfield Pagma Associates, L.P. Objecting Claimant George J. Azar, Jr. did not respond to the Trustee's discovery requests.

19. Exhibits 1 through 3 each contain the cover letter, Requests for Admission, Interrogatories, Requests for Production, and Certificate of Service as mailed to the Objecting Claimants.

Miscellaneous Exhibits

20. Attached hereto as Exhibit 4 is a true and correct copy of the Filing Information retrieved from the State of Wyoming, Secretary of State Business Division's website, <http://soswy.state.wy.us>, providing the registration details and status of Katz Group Limited Partnership.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
and correct.

Executed on November 9, 2016
New York, New York

/s/ Stephanie Ackerman
Stephanie Ackerman
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